

REMARKS

This Amendment responds to the Office Action dated May 28, 2009, in which the Examiner rejected claims 1-4, 6-12, 14-15 and 17 under 35 U.S.C. § 103.

Applicants would like to thank the Examiner for the explanation found on page 2 of the detailed action.

As indicated above, claims 1, 9 and 17 have been amended in order to make explicit what is implicit in the claims. The amendments are unrelated to a statutory requirement for patentability.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving user input according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information, indicated by the auxiliary information, with reproduction position information from a later received second event notice to determine amount of elapsed time and (d) issuing a command for controlling reproduction operation of content based on the amount of elapsed time and user input. For a user input skip operation, each content block is sequentially and automatically reproduced from its beginning for only a predetermined time which is less than an amount of time to reproduce the content block. For a user input play previous content block operation, a jump destination of a command changes based upon the amount of elapsed time from a beginning of reproduction of a content block.

By having a user input skip operation in which each content block is sequentially and automatically reproduced from its beginning for only a predetermined time less than an amount

of time to reproduce the content block and by having a user input play previous content block operation such that the jump destination is changed based upon an amount of elapsed time from a beginning of reproduction of a content block as claimed in claims 1, 9 and 17, the claimed invention provides an apparatus, method and program which can implement a variety of reproduction functions using predetermined commands. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-4, 6-12, 14-15 and 17 were rejected under 35 U.S.C. § 103 as being anticipated by *Kawamura, et al.* (U.S. Publication No. 2002/0044757).

Kawamura, et al. appears to disclose an information carrier in which path information indicates a path of linked sections, so that a next section can be sought rapidly once the end of a section has been reached [0015, emphasis added].

Thus, *Kawamura, et al.* merely discloses skipping to a next section once the end of the current section has been reached. Nothing in *Kawamura, et al.* shows, teaches or suggests sequentially reproducing each content block from its beginning for only a predetermined time less than an amount of time to reproduce the content block as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* clearly teaches only skipping to the next section once the end of the current section has been reached.

Additionally, *Kawamura, et al.* merely discloses a table for each available path including (a) a list of initial and final addresses, (b) a last entry point, (c) a play time and (d) a final system time of each track. It also includes for each track, a track number and a program number. The user can then jump directly to a specific track of a specific program [0117].

Thus, the table information of *Kawamura, et al.* includes a plurality of information so that the user can jump directly to a specific track of a specific program. Nothing in *Kawamura,*

et al. shows, teaches or suggests changing the jump destination based upon an amount of elapsed time from a beginning of reproduction of a content block as claimed in claims 1, 9 and 17.

Rather, *Kawamura, et al.* only discloses jumping to a specific track based upon the table information.

Finally, *Kawamura, et al.* merely discloses programs are subdivided into tracks for a user so that the user can jump to another part such as “next” and “previous”, or by a direct track number selection. In the `path_descriptor`, there is a jump address present so that a jump to a proper entry point of the next track along the respective path is possible in a simple manner from any point denoted by arrow 59 in FIG. 5. From a previous jump, the address is given in FIG. 5 shown by arrows 57 and 58. In FIG. 5, the jump to the previous track for the first entry point of a section is denoted by arrow 57. At the further entry point is given the beginning of the actual track shown in arrow 58. The user may then jump back to the beginning of the present track and from there further back if desired [0112].

Thus, *Kawamura, et al.* merely discloses a user may jump back to the beginning of the present track and from there further back if desired. Nothing in *Kawamura, et al.* shows, teaches or suggests changing the jump destination based upon an amount of elapsed time from a beginning of reproduction of a content block as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* merely discloses jumping to the beginning of the current track and from there further back if desired (See *Kawamura, et al.* last three lines of [0112]).

Since nothing in *Kawamura, et al.* shows, teaches or suggests (a) a skip operation in which each content block is sequentially and automatically reproduced from its beginning for only a predetermined time less than an amount of time to reproduce the content block and (b) a jump previous content block in which a jump destination changes based upon an amount of

elapsed time from a beginning of reproduction of a content block as claimed in claims 1, 9 and 17, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. § 103.

Claims 2-4, 6-8, 10-12, and 14-15 depend from claims 1 and 9 and recite additional features. Applicants respectfully submit that claims 2-4, 6-8, 10-12 and 14-15 would not have been obvious over *Kawamura, et al.* within the meaning of 35 U.S.C. § 103 at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-4, 6-8, 10-12 and 14-15 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

Date: August 10, 2009

By: 

Ellen Marcie Emas
Reg. No. 32,131
(202) 292-1530